

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA**

In re

**JASON SAILLOR and SHERRI  
SAILLOR,**

Debtors.

Case No. **10-62092-7**

**O R D E R**

At Butte in said District this 29<sup>th</sup> day of November, 2010.

In this Chapter 7 case, U.S. Bank, N.A. (“Creditor”) filed a Motion to Modify Stay on November 9, 2010. In accordance with Mont. LBR 4001-1, Mont. LBR 9013-1 and Mont. LBF 8, Creditor attached a “Notice” to its motion advising Debtors, and other parties in interest, such as the Chapter 7 Trustee, that they had fourteen (14) days within which to respond to Creditor’s motion. Neither the Chapter 7 Trustee nor Debtors filed a timely response to Creditor’s motion in accordance with Mont. LBR 4001-1. In the absence of any outstanding opposition after notice, the Court finds that Creditor’s motion is filed for good cause under 11 U.S.C. § 362(d).

IT IS THEREFORE ORDERED the stay afforded by § 362(a) of the Bankruptcy Code is modified to permit U.S. Bank, N.A. to pursue its non bankruptcy remedies against the following property of the estate:

Lots 9 and 10 in Block 43 of Manhattan Subdivision also known as the Original Plat of Manhattan, Gallatin County, Montana, according to the official plat thereof on file and of record in the office of the County Clerk and Recorder, Gallatin

County, Montana.

IT IS FURTHER ORDERED that this Order is effective immediately, not stayed for 14 days pursuant to F.R.B.P. 4001(a)(3).

BY THE COURT

A handwritten signature in cursive script, reading "Ralph B. Kirscher", is written over a horizontal line.

HON. RALPH B. KIRSCHER

U.S. Bankruptcy Judge

United States Bankruptcy Court

District of Montana